

REMARKS

The issues outstanding in the office action mailed June 28, 2006, are the rejections under 35 U.S.C. §112. The examiner is thanked for indicating that claims 1, 2, 4, 6 and 9 are allowed, and claims 7, 10 and 11 are allowable. It is respectfully submitted that, in view of the following discussion, all claims are in condition for allowance.

Rejections under 35 U.S.C. §112 (first paragraph)

Claim 1 has been rejected under 35 U.S.C. §112, first paragraph, as lacking enablement. It is argued, at page 3 of the office action, that the "functional language" of a 'conductive fluorinated polymer composition' is not enabled by the specification, which is argued only to teach the use of specific polymers at page 6. In fact, applicants respectfully disagree with this analysis.

First, it is noted that claim 1 has been clarified in order to indicate that the present process is not one "to make a conductive fluorinated polymer" but rather one to "make conductive" a fluorinated polymer. Conductive fluorinated polymer compositions are well known, for example, as discussed in the background section of the invention at page 1 of the specification. Indeed, conductive compositions containing polyaniline materials blended with fluorinated polymers are well known in the art. The present process is directed to a way to make any fluorinated polymer composition conductive, by blending it with a conductive polyaniline. It is submitted that applicants are not reciting the function of the substance, rather than what the substance is, as argued at page 3 of the office action. Instead, it is clear that is applicants intent to encompass *all* fluorinated polymer compositions, made conductive by blending with polyaniline. In such a situation, where it is clear that applicants intend the full scope of the term used in the claims, and moreover provide objective enablement, i.e., a statement in the present specification such as that noted above that the invention works with the full scope of compounds encompassed therein, such objective enablement is, *per se*, sufficient unless the PTO has reasons or evidence to doubt the truth of the statement. See, for example, *In re Marzocchi*, 439 F.2d 220, 169 U.S.P.Q. 367 (CCPA 1971).

Under *Marzocchi*, the "Wands factors" set forth at pages 3-6 of the office action come in to play only if reasons or evidence to doubt the objective enablement are provided. Since no such reasons or evidence are evident, it is submitted that the Wands factors are not reached. Moreover, even if it were argued that some fluorinated polymers could not be made conductive by blending with polyaniline, which allegation has not been made or substantiated, it is submitted that the application of the Wands factors, so as to determine whether one of ordinary skill in the art could ascertain the scope of the invention without undue experimentation, would lend to the conclusion that undue experimentation is not needed. One of ordinary in the art can easily test a given blend in order to determine whether it is conductive. Such a test is routine in the art, and can be made without unreasonable effort. Thus, it is submitted that the claim fully satisfies the requirements of 35 U.S.C. §112, first paragraph, and withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. §112 (second paragraph)

Claims 1, 3, 5 and 8 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. It is respectfully submitted that, in view of the clarification of claim 1, it is evident that the conductive fluorinated polymer is one that is a blend of fluorinated polymer, with conductive polyaniline. As such, there is no uncertainty in the claims.

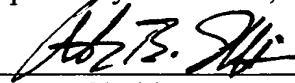
Claim 3 has been reformatted for US practice, and it is submitted that the issues raised at the top of page 7 of the office action are moot. Moreover, with respect to claim 5, it is noted that this claim is dependent upon claim 3 which recites preparation of anilinium salt by reaction of an aniline with an acid. It is submitted that, accordingly, antecedent basis for the acid and the anilinium salt is clearly evident.

Finally, with respect to claim 8, it is submitted that the language represents proper Jepson format. Withdrawal of this portion of the rejection is therefore also respectfully requested.

The claims in the application are submitted to be in condition for allowance. However, if the examiner has any questions or comments, he is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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